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E2

ACTION AID-00

RELEASED IN PART

B1, 1.4(D)

INFO LOG-00 NP-00 CIAE-00 INL-00 DODE-00 WHA-00 PERC-00  
SRPP-00 DS-00 EB-00 VC-00 TEDE-00 INR-00 L-00  
VCE-00 AC-01 NSAE-00 NSCE-00 ACE-00 DSCC-00 PRM-00  
DRL-01 NFAT-00 SAS-00 SWCI-00 /002W

-----6F11B8 031921Z /38

R 031715Z JUN 03  
FM AMEMBASSY CARACAS  
TO SECSTATE WASHDC 1443  
INFO AMEMBASSY BOGOTA  
AMEMBASSY BRASILIA  
AMEMBASSY GUATEMALA  
AMEMBASSY LA PAZ  
AMEMBASSY LIMA  
AMEMBASSY QUITO  
USCINCSO MIAMI FL

C O N F I D E N T I A L CARACAS 001746

NSC FOR LLORENS  
USCINCSO ALSO FOR POLAD  
USAID DCHA/OTI FOR RUSSELL PORTER  
GUATEMALA FOR DCM MCFARLAND

E.O. 12958: DECL: 06/02/2013  
TAGS: PGOV, KJUS, VE  
SUBJECT: JUSTICE, VENEZUELAN STYLE  
Classified By: AMBASSADOR CHARLES S. SHAPIRO FOR REASONS 1.5 (B) AND (D  
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SUMMARY  
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1. [REDACTED] cases deemed politically sensitive by the GOV are being handled separately from other criminal cases for political reasons. On May 23, the prosecutor in charge of these political cases denied to Poloff that he functions as a "special prosecutor" or that he and his team were chosen for any reasons other than their professional qualifications. [REDACTED]

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End Summary.

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April 11 Fallout

UNITED STATES DEPARTMENT OF STATE  
REVIEW AUTHORITY: APPEALS REVIEW PANEL  
CLASSIFICATION: CONFIDENTIAL REASON: 1.4(D)  
DECLASSIFY AFTER: 2 JUN 2028  
APPEAL ACTION: ORIGINAL DECISION UPHELD  
REASON(S): B1, 1.4(D)  
DATE/CASE ID: 21 SEP 2007 200404750

UNITED STATES DEPARTMENT OF STATE  
REVIEW AUTHORITY: MELVIN E SINN  
DATE/CASE ID: 30 JUN 2005 200404750

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2. (C) The separate handling of political cases began with the creation in 2002 of the Brigada 11 Abril (11-A),

[REDACTED]

The 11-A is a special investigative unit under the Center for Scientific, Criminalistic and Penal Investigations (CICPC), Venezuela's equivalent of the FBI, that has responsibility for cases deemed politically sensitive by the GOV. Its first assignment was the April 11, 2002 Puente Llaguno shootings in which men firing into a crowd of opposition marchers were caught on videotape. In spite of the incriminating footage, there have been no convictions in the case.

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3. (C) [REDACTED]

subsequent murder cases, such as that involving three soldiers found murdered in December 2002 and linked to dissident military officers, were reassigned to a select group of prosecutors working in tandem with the 11-A. Danilo Anderson, a relatively obscure prosecutor working in the area of environmental law, is the prosecutor of choice for the government and has been put in charge of the eight prosecutors who handle the political cases.

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4. (C) Anderson, who has three years' experience (the prosecutors working under him have similar lengths of experience) told Poloff May 23 that more experience would be irrelevant, since the current penal code is only about 3 years old. He claims that he and his team of prosecutors were chosen directly by Attorney General Isaias Rodriguez, because they were the best people for the job, but declined to speculate on what factors were used in their selection. Anderson also denied that he is a "special prosecutor" as we understand the term, stating firmly that the Public Ministry is one "indivisible entity."

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